

Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision to Class E Airspace; Beaumont, TX; Direct Final Rule; Request for Comments; Docket No. 99-ASW-25 (10-29/11-1)" (RIN2120-AA66) (1999-0361), received November 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC-6079. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters; Docket No. 99-SW-07 (10-28/11-1)" (RIN2120-AA64) (1999-0426), received November 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC-6080. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney JT8D Series Turbofan Engines; Docket No. 92-ANE-15 (10-29/11-1)" (RIN2120-AA64) (1999-0425), received November 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC-6081. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; British Aerospace Model B Ae 146 and Avro 146-RJ Series Airplanes; Docket No. 99-NM-27 (10-28/11-1)" (RIN2120-AA64) (1999-0427), received November 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC-6082. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model A32, L, and L1 Helicopters; Docket No. 98-SW-59" (RIN2120-AA64) (1999-0428), received November 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC-6083. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Pollutant Discharge Elimination System—Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges" (FRL #6470-8), received November 3, 1999; to the Committee on Environment and Public Works.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1374. A bill to authorize the development and maintenance of a multiagency campus project in the town of Jackson, Wyoming (Rept. No. 106-215).

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

S. 1503. A bill to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2003 (Rept. No. 106-216).

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

H.R. 1907. A bill to amend title 35, United States Code, to provide enhanced protection for inventors and innovators, protect patent terms, reduce patent litigation, and for other purposes.

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and an amended preamble:

S. Res. 217. A resolution relating to the freedom of belief, expression, and association in the People's Republic of China.

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted on November 3, 1999:

By Mr. THOMPSON for the Committee on Governmental Affairs:

John F. Walsh, of Connecticut, to be a Governor of the United States Postal Service for a term expiring December 8, 2006.

LaGree Sylvia Daniels, of Pennsylvania, to be a Governor of the United States Postal Service for a term expiring December 8, 2007.

Joshua Gotbaum, of New York, to be Controller, Office of Federal Financial Management, Office of Management and Budget.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ROBB (for himself and Mr. BAUCUS):

S. 1867. A bill to amend the Internal Revenue Code of 1986 to provide a tax reduction for small businesses, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. HARKIN):

S. 1868. A bill to improve the safety of shell eggs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BAUCUS:

S. 1869. A bill to authorize the negotiation of a Free Trade Agreement with the Republic of Korea, and to provide for expedited congressional consideration of such an agreement; to the Committee on Finance.

S. 1870. A bill to authorize the negotiation of a Free Trade Agreement with the Republic of Singapore, and to provide for expedited congressional consideration of such an agreement; to the Committee on Finance.

S. 1871. A bill to authorize the negotiation of a Free Trade Agreement with Chile, and to provide for expedited congressional consideration of such an agreement; to the Committee on Finance.

By Mr. SESSIONS (for himself and Mr. DODD):

S. 1872. A bill to amend the Federal Credit Union Act with respect to the definition of a member business loan; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SESSIONS (for himself, Mr. HUTCHINSON, Mr. WARNER, Mr. TORRICELLI, Mr. MACK, Mr. SHELBY, Mr. NICKLES, Mr. INHOFE, Mr. THURMOND, Mr. ASHCROFT, Mr. MCCONNELL, Mr. ROBERTS, Mr. KOHL, Mr. FEINGOLD, Mr. CLELAND, Mr. HOL-

LINGS, Mr. BREAUX, Mr. GRAHAM, Ms. COLLINS, Mr. GRAMS, Mr. LAUTENBERG, Mr. ENZI, Mr. MURKOWSKI, Mr. GORTON, Ms. LANDRIEU, Mr. ROBB, and Mrs. LINCOLN):

S. 1873. A bill to delay the effective date of the final rule regarding the Organ Procurement and Transplantation Network; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRAHAM (for himself, Mr. BINGAMAN, and Mrs. FEINSTEIN):

S. 1874. A bill to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive personnel during non-school hours; to the Committee on the Judiciary.

By Mr. COCHRAN:

S. 1875. A bill to amend the Agricultural Marketing Act of 1946 to remove the prohibition on the use of funds to pay for newspaper or periodical advertising space or radio time; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DODD (for himself and Mr. ROCKEFELLER):

S. 1876. A bill to amend the High-Performance Computing Act of 1991 to require a report to Congress; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 221. A resolution to authorize testimony and document production in the Matter of Pamela A. Carter v. HealthSource Saginaw; considered and agreed to.

By Mr. SMITH of New Hampshire (for himself and Mr. REID):

S. Res. 222. A resolution to revise the procedures of the Select Committee on Ethics; considered and agreed to.

By Ms. SNOWE:

S. Con. Res. 69. A concurrent resolution requesting that the United States Postal Service issue a commemorative postal stamp honoring the 200th anniversary of the naval shipyard system; to the Committee on Governmental Affairs.

S. Con. Res. 70. A concurrent resolution requesting that the United States Postal Service issue a commemorative postage stamp honoring the national veterans service organizations of the United States; to the Committee on Governmental Affairs.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. HARKIN):

S. 1868. A bill to improve the safety of shell eggs; to the Committee on Agriculture, Nutrition, and Forestry.

### EGG SAFETY ACT OF 1999

Mr. DURBIN. Mr. President, today I am introducing the Egg Safety Act of 1999. This legislation would improve the safety of our nation's egg supply by granting USDA's Food Safety and Inspection Service (FSIS) the authority to regulate and inspect shell eggs from farm to retail level, requiring labeling on egg cartons, requiring uniform expiration dating for all shell eggs, and prohibiting repackaging of eggs.

Last year, I requested a report from the General Accounting Office (GAO) regarding the safety of our egg supply. On July 1 of this year, that report was released at a hearing before the Government Affairs Subcommittee on Oversight of Government Management, on which I serve. According to the report, the GAO found cracks, confusion and contradictions in our nation's efforts to protect consumers against contaminated eggs and egg products.

Approximately 67 billion eggs are sold each year in the United States, with each American eating an average of 245 during that time. Eggs are a nutrient-dense food that plays an important part in most Americans' diets, either alone or as an ingredient in other foods. However, eggs, like any other perishable product, need to be handled with care. Perishable products will always have a degree of risk, but this risk is manageable.

According to the Centers for Disease Prevention and Control (CDC), *Salmonella enteritidis* (SE), a bacteria commonly associated with raw or undercooked eggs, caused about 300,000 illnesses in 1997, resulting in between 115 and 230 deaths. According to the U.S. Department of Agriculture (USDA), the economic costs of food-borne illnesses related to eggs were estimated to be between \$225 million and \$3 billion in 1996. Between 1985 and 1998, 81.7 percent of SE outbreaks were associated with eggs.

In 1998, the Illinois Department of Public Health recorded 405 reported cases and five deaths resulting from SE. Food-borne illness has struck in Illinois several times over the past decade, including a 1990 outbreak of SE from bread pudding with 1,100 reported cases; a 1993 outbreak of SE from pancakes with 22 reported cases; and a 1993 outbreak of SE from bearnaise sauce with 13 reported cases.

Make no mistake about it: our country has one of the safest egg supplies in the world. But we have the science and know-how to make it even safer. Eating French toast, Caesar salad, or any other foods that may include raw or undercooked eggs is a manageable risk that can be reduced even further. Make some common sense changes in our federal food safety efforts can protect consumers, families and the credibility of U.S. food products at home and abroad.

How would putting all egg safety responsibilities within one agency make eggs safer? According to the GAO report, lack of coordination between the four federal agencies responsible for egg safety has resulted in gaps, inconsistencies and inefficiencies. For example, while one of those agencies, USDA, conducts daily inspections of plants where eggs are broken and made safe by pasteurization, another agency, Food and Drug Administration, rarely inspects egg farms or facilities where unbroken shell eggs are packed unless the agency is trying to trace an outbreak of illness.

The absence of or inconsistent egg carton expiration dating laws can mis-

lead consumers. Consumers may believe the expiration date accurately reflects the age of the egg. For example, when comparing carton dates, a consumer may be more likely to select eggs not graded by USDA because a later date on the carton seems to imply that those eggs are fresher. But the eggs with the later date may actually be the older ones. Under the USDA Agricultural Marketing Service voluntary egg grading program, expiration dates are set at 30 days from the date the eggs were packed. However, some egg processors that do not participate in the voluntary program set their own expiration date or have no expiration date at all.

The Egg Safety Act of 1999 would require uniform expiration dating for all shell eggs. No eggs packed for consumers could be older than 21 days from the date of lay when packed, and they must carry an "expiration date" or "sell by date" of no more than 30 days from the packing date.

Repackaging or re-dating of eggs provides the wrong information to consumers. Both time and temperature safeguards are likely to be compromised in eggs that are repackaged. For example, repackaged eggs are re-washed in hot water which can lead to increased SE risk. Under the USDA Agricultural Marketing Service voluntary egg grading program, which includes 30 percent of shell eggs, repackaging is prohibited for eggs coming back from the retail level but allowed for eggs stored at the packaging plan. Industry has called for a prohibition on egg repackaging.

While repackaging may not be a widespread practice, it should be completely prohibited. The Egg Safety Act of 1999 would prohibit eggs returned to the packer from grocery stores or other retail establishments from being repackaged as shell eggs intended for human consumption. These eggs could only be diverted for further processing as pasteurized egg products.

The Egg Safety Act of 1999 would also grant FSIS the authority to regulate and inspect shell eggs from farm to retail level for the purpose of ensuring the protection of public health. The standard for inspection frequency would be "continuous monitoring and verification of performance standards." The bill would also require FSIS to implement a "Hazard Analysis and Critical Control Point" (HACCP) program for egg safety.

The Egg Safety Act of 1999 would require labeling on egg cartons to warn consumers of the risk of illness associated with consuming raw or undercooked eggs. This labeling requirement would be in addition to the current "keep refrigerated" label which remains a requirement for all eggs.

The Egg Safety Act of 1999 is supported by the Center for Science in the Public Interest, Consumers Union and Consumer Federation of America.

Consumers should have the information they need and the assurance they

deserve when buying eggs. They should be able to count on the fact that what they're putting on the table is as safe as possible. The Egg Safety Act of 1999 is one step toward ensuring that goal.

Mr. President, I urge my colleagues to join me in cosponsoring this important legislation, to give people the assurance that the eggs they buy are safe.

By Mr. BAUCUS:

S. 1869. A bill to authorize the negotiation of a Free Trade Agreement with the Republic of Korea, and to provide for expedited congressional consideration of such an agreement; the Committee on Finance.

UNITED STATES-REPUBLIC OF KOREA FREE TRADE AGREEMENT ACT OF 1999

S. 1870. A bill to authorize the negotiation of a Free Trade Agreement with the Republic of Singapore, and to provide for expedited congressional consideration of such an agreement; to the Committee on Finance.

UNITED STATES-SINGAPORE FREE TRADE AGREEMENT ACT OF 1999

S. 1871. A bill to authorize the negotiation of a Free Trade Agreement with Chile, and to provide for expedited congressional consideration of such an agreement; to the Committee on Finance.

UNITED STATES-CHILE FREE TRADE AGREEMENT ACT OF 1999

• Mr. BAUCUS. Mr. President I rise to send three separate bills to the desk. I am introducing these three pieces of legislation because I am very concerned about the direction of U.S. trade policy. Since the end of World War II, America has maintained a strong domestic consensus on the importance of open markets, allowing us to lead the world into an era of unprecedented growth. That consensus is fraying at the edges. Divisions over the role of labor and the environment have helped to undermine it.

These divisions have prevented us from re-instituting fast track negotiating authority, which lapsed nearly five years ago. While we hesitate, the rest of the world continues to move forward on economic integration. Regional trade arrangements in Europe, Latin America, and Asia put U.S. exporters at a competitive disadvantage. We lose overseas markets to foreign competitors who enjoy trade preferences for which our farmers, manufacturers and service providers are ineligible. In my home state of Montana, wheat exporters have lost their share of the Chilean market to Canadian farmers, who are not subject to the 11% Chilean import duty that Montana farmers face.

If we cannot agree on a global fast-track bill, then we should institute fast-track authority for specific countries where we have strategic commercial and political interests. In doing so, we should choose countries which not only share our commitment to open markets, but also share our values for environmental quality and labor rights.

I recently outlined some broad principles on trade and the environment in a statement here on the Senate floor. FTA's should be consistent with those principles. In addition to addressing the environment, they should also firmly support core labor standards.

As to the countries, the bills I am introducing provide authority to negotiate bilateral free trade agreements with three important trading partners: Singapore, the Republic of Korea and Chile. Taken together, these three countries buy about \$40 billion worth of U.S. goods annually.

For a number of years, the United States has considered, informally or formally, negotiating FTA's with all three of them. Soon after signing NAFTA, we talked to Chile about acceding to it as the fourth NAFTA partner. Chile waited patiently for Congress to give the President negotiating authority. That authority never arrived. Since then, Chile has gone ahead and signed bilateral trade agreements with both Mexico and Canada.

Similarly, we broached the notion of either an FTA or accession to NAFTA with Singapore several years ago. Of all the countries of East Asia, none is more committed to open markets than Singapore. Negotiating an FTA not only makes commercial sense, it also reinforces our engagement in the Pacific Basin.

Finally, the Republic of Korea is a country which has made enormous economic and political progress in the past two decades. It is now in the midst of a very painful restructuring forced upon it by the Asian financial crisis. An FTA with Korea would lock in the gains—both economic and political—of the past, much as NAFTA did for Mexico. Recently, the Deputy U.S. Trade Representative said that an FTA with Korea was an interesting idea, but that the only way to get there was to resolve our bilateral trade disputes. I think that's backwards. FTA negotiations are a way to resolve these issues.

The bills also establish a general policy framework for negotiating free trade agreements. They require that FTA's address the full range of issues, from guaranteeing national treatment and market access, to protecting intellectual property. They require that FTA's address electronic commerce, an area where the United States has a strong commercial interest. And they require that FTA's address the labor and environmental issues.

I entered the Senate not too many years after Congress passed the original fast-track legislation. At that time, the notion of "intellectual property" was something novel. The idea that "intellectual property" should be considered in trade negotiations was ridiculed. Many said that patents, copyrights and trademarks were domestic issues, and thus not appropriate subject for trade agreements. But the United States insisted that the world trading system address these issues. We put a lot of political capital behind

it. Today, nobody questions the appropriateness of WTO rules for trade-related intellectual property rules.

I firmly believe that in the near future, we will see the same result with trade-related labor and environmental issues. We cannot—and should not—avoid these issues. So the bills I am introducing require that FTA's address trade aspects of labor and the environment.

We must identify potential environmental consequences—both positive and negative—of trade agreements, and put in place mechanisms to deal with any adverse impacts. Similarly, we must reaffirm our commitment to core labor standards through a mechanism dealing with any adverse impacts that trade agreements have on labor markets.

Mr. President, we need to send a strong signal to the rest of the world that the United States intends to continue its leadership of the global trading system. The Africa Trade Bill that we passed here this week was an excellent step in the right direction. We must continue to make progress on opening markets for American farmers, manufacturers and service providers. Negotiating bilateral free trade agreements with like-minded countries will support our multilateral negotiations in the WTO.

Just as we negotiated NAFTA and the Uruguay round at the same time, we should pursue bilateral free trade agreements with Chile, Korea, and Singapore while we are negotiating the next round in the WTO.●

By Mr. SESSIONS (for himself and Mr. DODD):

S. 1872. A bill to amend the Federal Credit Union Act with respect to the definition of a member business loan; to the Committee on Banking, Housing, and Urban Affairs.

#### FAITH BASED LENDING LEGISLATION

Mr. SESSIONS. Mr. President, I rise today to introduce legislation with my colleagues, Senator CHRIS DODD, which will support the work of over 600 religious organization based credit unions in the U.S. Many of these credit unions provide an essential source of financing for churches, religious schools, mission agencies, and related community projects such as homeless shelters, drug intervention facilities, and homes for abused women and children.

Some of these credit unions rely on other credit unions to fund their loans to religious organizations through loan participation agreements. These loan participation agreements are classified as business loans and are counted against the member business loan caps that credit unions must abide by as a result of the Credit Union Membership Access Act signed into law last year. Consequently, the exemption for credit unions having a history of business lending contained in that act though well intended, doesn't solve the problem because religious organizations based CUs will not be able to sell loans

to other credit unions who will have to count these faith based loans toward their business lending cap.

The sale of loan participations is a necessary first step before any of these loans can be originated. The legislation I am introducing along with Senator DODD will allow the approximately 600 religious organization based credit unions in America to exempt from loan participations those loans they originate to religious non-profit organizations. In doing so, our bill will assure a steady source of capital for these organizations and community based missions.

Finally, Mr. President, I would like remind my colleagues that religious organization based credit unions enjoy a long history of safe lending and encourage them join Senator DODD and me in passing this legislation. No other credit union program will do more to help the poor, the homeless, the disabled and those otherwise in need.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no object, the bill was ordered to be printed in the RECORD, as follows:

S. 1872

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. MEMBER BUSINESS LOAN EXCEPTION.

Section 107a(c)(1)(B) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(1)(B)) is amended—

- (1) in clause (iv), by striking "or" at the end;
- (2) in clause (v), by striking the period and inserting "; or"; and
- (3) by adding at the end the following:
 

“(vi) that is made to a nonprofit religious organization.”.

By Mr. SESSIONS (for himself, Mr. HUTCHINSON, Mr. WARNER, Mr. TORRICELLI, Mr. MACK, Mr. SHELBY, Mr. NICKLES, Mr. INHOFE, Mr. THURMOND, Mr. ASHCROFT, Mr. MCCONNELL, Mr. ROBERTS, Mr. KOHL, Mr. FEINGOLD, Mr. CLELAND, Mr. HOLLINGS, Mr. BREAUX, Mr. GRAHAM, Ms. COLLINS, Mr. GRAMS, Mr. LAUTENBERG, Mr. ENZI, and Mr. MURKOWSKI):

S. 1873. A bill to delay the effective date of the final rule regarding the Organ Procurement and Transplantation Network; to the Committee on Health, Education, Labor, and Pensions.

#### ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK LEGISLATION

Mr. SESSIONS. Mr. President, I am proud today to join with Senators TIM HUTCHINSON, WARNER, TORRICELLI, MACK, SHELBY, NICKLES, INHOFE, THURMOND, ASHCROFT, MCCONNELL, ROBERTS, KOHL, FEINGOLD, CLELAND, HOLLINGS, BREAUX, GRAHAM, COLLINS, GRAMS, LAUTENBERG, ENZI, MURKOWSKI, GORTON, LANDRIEU, ROBB and LINCOLN in introducing the Organ Donation Regulatory Relief Act of 1999.

This legislation is designed to prevent an unprecedented Federal takeover of our Nation's organ transplant system by the Department of Health and Human Services. This act would nullify a highly controversial rule issued by the Secretary of Health and Human Services, Donna Shalala, that would give her sole authority to approve or disapprove organ allocation policies that are currently established by the private-sector transplant community throughout this country.

This move by the administration would preempt Congress' role in encouraging a fair and equitable transplant system through the authorization of the National Organ Transplant Act. My bill would simply nullify the proposed HHS rule until such time as Congress passes amendments to the National Organ Transplant Act.

This bill would preserve Congress' prerogative to consider changes or improvements to the current system while maintaining the private-sector role of thousands of patients, families, volunteers, and medical professionals that are now responsible for our organ transplant policy. It will allow Congress the time needed to consider new initiatives to encourage more organ donation which is the heart of our organ shortage problem.

In my home State of Alabama, the University of Alabama-Birmingham, has one of the most effective and finest organ transplant centers in the world. It is the largest liver transplant facility in the world. I am extremely proud of their efforts. Let me just say this, this system has been built up carefully, utilizing State law and other laws. It works very effectively.

I am very concerned that Federal Government policies have now been proposed that would upset this. It has not only upset the University of Alabama-Birmingham but transplant centers, and mainly university hospitals all over the country. And that is why we believe action needs to be taken at this time.

I believe the current plan is fair and does a good job of acquiring and allocating organs for transplantation. For example, since the passage of the National Organ Transplant Act in 1984, the number of people receiving organs has increased annually, and the survival rate has improved steadily.

A recent study by the Institute of Medicine came to the same conclusion:

The committee found that the current system is reasonably equitable for the most severely ill (Status 1) liver patients, since the likelihood of receiving a transplant is similar across organ procurement organizations for these patients.

The Institute of Medicine study contradicted the underlying rationale in some numbers that I believe were unwisely interpreted. They underlie this rationale for the controversial "rule" on organ allocation that has been proposed by the Department of Health and Human Services.

In a careful analysis of 68,000 liver patient records, the Institute of Medicine panel said:

... the "overall median waiting time" that patients wait for organs—the issue that seems to have brought the committee to the table in the first place—is not a useful statistic for comparing access to or equity of the current system of liver transplantation, especially when aggregated across all categories of liver transplant patients.

HHS has maintained that reducing regional differences in waiting times was the primary goal of their new rule on organ allocation. The HHS rule is a solution in search of a problem and would only inhibit the continual improvements made by the transplant community since the passage of NOTA 15 years ago.

The HHS policy is also shortsighted in its wholesale preemption of State laws regarding organ transplantation. Many of the beneficial policies that have served to improve organ procurement and donation are based on State laws, such as the organ donor checkoff on driver's licenses, and the HHS preemption fails to recognize that fact.

This year's Labor-HHS appropriations bill provided for a 3-month moratorium on the implementation of the rule from the time of its enactment. But, unfortunately, this may not and probably will not provide adequate time for Congress to consider this very complicated issue in the context of amendments to the National Organ Transplant Act.

That is why it is necessary, indeed, imperative. And that is why 26 Senators have signed on to this legislation in such a short period of time. It is imperative that we nullify the rule so that these life-and-death issues can be considered without fear of a clock running out on ways to improve the current system and provide the gift of life to so many Americans.

Hospitals and the physicians who operate in those hospitals are the key to the success of the organ transplant program. They receive phone calls at all hours of the night, and they go out and retrieve those organs from people who have been killed. And they have to do it under short periods of time. If they are going to do that simply to send off the organs to some hospital of which they are not committed personally or to patients of which they are not serving, they will not be as effective in retrieving the organs. Not as many people will benefit and not as many people will have their lives saved as a result.

I believe that HHS' actions are unwise. It reminds me of that old adage: If it ain't broke, don't fix it.

We do not have and have not seen a real complaint from the citizens of America over the operation of our organ transplant system. This has been created by unelected bureaucrats here in Washington, and it is not healthy, in my view.

But there will be a full opportunity, if this bill is passed, to allow the Health, Education, Labor, and Pensions Committee, of which I am a member, to hold hearings and review the facts in order to develop the best

transplant program we possibly can. If we can improve the system, I say let's do it. But let's be sure we do not break something that is not broken already.

So I thank the outstanding work of several of my colleagues on this important issue, including Senators TIM HUTCHINSON, JOHN WARNER, ROBERT TORRICELLI, and Senator DON NICKLES, the assistant majority leader. Without their leadership, this legislation could not have come to fruition.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1873

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. NULLIFICATION AND REQUIREMENT FOR FURTHER RULEMAKING.**

(a) **LIMITATION.**—Notwithstanding any other provision of law, the final rule relating to the Organ Procurement and Transplantation Network, promulgated by the Secretary of Health and Human Services and published in the Federal Register on April 2, 1998 (63 Fed. Reg. 16296 et. seq. adding part 121 to title 42, Code of Federal Regulations) and amended on October 20, 1999 (64 Fed. Reg. 56649 et seq.), shall have no force or legal effect.

(b) **NO IMPLEMENTATION OR AUTHORITY.**—The Secretary of Health and Human Services shall not implement or exercise further regulatory authority with respect to the Organ Procurement and Transplantation Network, as well as regulatory authority under sections 1102, 1106, 1138, and 1871 of the Social Security Act (42 U.S.C. 1302, 1306, 1320b-8, and 1395hh), prior to the date of enactment of amendments to reauthorize and revise part H of title III of the Public Health Service Act (42 U.S.C. 273 et seq.).

By Mr. GRAHAM (for himself,  
Mr. BINGAMAN, and Mrs. FEINSTEIN):

S. 1874. A bill to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during non-school hours; to the Committee on the Judiciary.

#### **INTRODUCTION OF THE POLICE ATHLETIC LEAGUE (PAL) YOUTH ENRICHMENT ACT OF 1999**

• Mr. GRAHAM. Mr. President, I am extremely pleased to join with my distinguished colleagues, Senator BINGAMAN and Senator FEINSTEIN, in introducing the Police Athletic League (PAL) Youth Enrichment Act of 1999. This legislation is designed to reduce both juvenile crime and the risk that youth will become victims of crime. By providing productive activities during non-school hours in communities across this country, we can provide the healthy environment that our young people deserve. Outside the home, there is no safer place in any community than a school, a playground, a community center, or a park where law enforcement personnel are coordinating the activities.

The Police Athletic League actually started back in the 1910's. A group of

New York youth tossed a rock through a shopkeeper's window. That rock pioneered a new approach to juvenile delinquency prevention. Lieutenant Ed Flynn used that incident to create the Police Athletic League—an organization that makes police officers into role models and friends rather than enemies. PAL brings cops and kids together in activities where mutual trust and respect can be built. It is a statement to young people, particularly in less advantaged neighborhoods, that the community cares about them. It extends a hand of friendship to children—boys, girls, young men and women—who do not have many opportunities.

Mr. President, there is clearly a direct link between crime prevention and PAL participation. Young people who are idle have the potential to be drawn into crime. In Baltimore, the PAL centers have cut juvenile crime by 30 percent and decreased juvenile victimization by 40 percent. In El Centro, California, PAL has reduced juvenile crime and gang activity in the HUD Housing Development by 64 percent.

PAL, staffed by police officers, has numerous success stories of helping to shape the lives of individuals. In my own state of Florida, former PAL kid Ed Tobin is now a successful attorney. Steve Colin is a well known radio station personality in Miami Beach. In Jacksonville, 23 Sheriff's Officers were PAL kids. Derrick Alexander of the Cleveland Browns and Shawn Jefferson of the New England Patriots were both PAL kids.

Our legislation seeks to expand services of current chapters and provide seed money for 50 new chapters per year for the next 5 years (2000-2004). New chapters will offer programs providing a combination of mentoring assistance; academic assistance; recreational and athletic activities; technology training; and drug, alcohol, and gang prevention activities. This list is by no means exhaustive. PAL centers also offer health and nutrition counseling; cultural and social programs; conflict resolution training; anger management, and peer pressure training; job skill preparation activities; and Youth PAL conferences or Youth Forums.

PAL currently has 320 chapters serving over 3,000 communities with a network of 1,700 facilities. Today, they mentor and serve more than one and half million young people, ages 6 to 18, throughout the United States, the U.S. Virgin Islands, and Puerto Rico. In my home state, the Miami-Dade PAL serves over 13,000 youth annually, and Jacksonville serves over 12,000. We know, however, that many areas are still underserved by PAL chapters.

Law enforcement, community organizations, and local governments strongly support this bill. Mr. President, this investment in our youth will pay for itself many times over in reduced crime and law enforcement costs. I urge all my colleagues to sup-

port the passage of this much needed legislation. Together with the Police Athletic League, we can fill playgrounds instead of prisons.●

● Mr. BINGAMAN. Mr. President, I rise today to join with Senator GRAHAM in introducing the "Police Athletic League Youth Enrichment Act of 1999."

The Police Athletic League (PAL) is a national organization that has been teaming up law enforcement with our nation's youth for the past 55 years. New Mexico is fortunate to have a statewide PAL program. The New Mexico PAL provides New Mexico's youth with a variety of after-school and summer activities. Last year, the New Mexico PAL provided hundreds of New Mexico kids with alternatives to getting into trouble. For these reasons, I am very proud to introduce the PAL Youth Enrichment Act with Senator Graham.

In New Mexico, the PAL chapter has ten sites around the state: Santa Fe, Albuquerque, Gallup, Tohatchi, Bloomfield, Roswell, Dona Ana County, Clovis, Lordsburg and the Pueblo of Cochiti. The goal of the New Mexico PAL is to provide recreational, educational and cultural activities for at-risk youth ages five to eighteen with the intent of reducing negative behaviors and promoting healthy behavioral patterns. PAL aims to build self-esteem and resiliency in youth and provide positive alternatives to alcohol, drug use, delinquent behavior and violence. The New Mexico PAL sponsors sporting leagues throughout the year, participates in Sports Days during the summer, sponsors a one-week summer camp and offers ongoing mentoring opportunities for youth.

The PAL volunteers not only play sports with the youth, but they fight for the youth. In Albuquerque, the PAL chapter aided in preserving the use of a baseball field for the youth sporting leagues.

Last summer the New Mexico PAL held several Youth Sports Days that attracted between 40 and 150 kids in each community. In August, I attended the Youth Sports Day in Santa Fe. The daylong event provided the younger kinds in the community with a variety of sporting events, prizes and lunch. The kids and parents interacted with the law enforcement officers in a setting that allowed them to see the officers as community members, mentors and leaders.

The New Mexico PAL also sponsors a week long summer camp, Camp Courage, each year at the Cochiti Lake. It is a reward camp for kids that have said "no" to antisocial behavior. More than one hundred kids participate in this program annually. Because a camp requires a lower adult child ratio, the local FBI agents, DEA agents and the National Guard joined with the local police and sheriffs in organizing a week of intense sporting activities. They also offered themselves as mentors and reachers for the youth. The commitment of these law enforcement officers

to the youth of New Mexico is truly admirable.

After seeing what the New Mexico PAL has accomplished, I have come to be a great supporter of PAL. I now want other communities around the nation to be able to benefit from the same programs and services and for more New Mexico communities to be able to start PAL programs. As I see it, a police officer's duty is primarily to protect a community. I look at PAL as law enforcement's way of helping protect the health of our kids—both the physical well being and the mental well being.

The PAL Youth Enrichment Act will enable existing PAL to expand their services and provide seed money for new PAL in distressed communities, including many Native American communities. The goal is to provide seed money for fifty new chapters each year for the next five years. By providing \$16 million annually for new and existing PAL, youth around the country will benefit from a combination of academic assistance; mentoring assistance; recreational and athletic activities; technology training; drug, alcohol, and gang prevention activities; health and nutrition counseling; cultural and social programs, conflict resolution training; anger management; peer pressure training; and job skill preparation classes.

Although PAL chapters consist of local law enforcement, they do not receive direct funding from the law enforcement agencies, and instead rely on the efforts of volunteers and fund-raising proceeds. Because of this funding situation, in 1977 I urged Congress to appropriate funds for the New Mexico PAL. In 1998 I succeeded in getting \$1 million appropriated through the Commerce-Justice-State Appropriations bill for the New Mexico PAL program to expand the PAL services to communities around the State and to greatly enhance the current programs it offered. This money has enabled the New Mexico PAL to carry out its summer programs, its Camp Courage, and many other new activities. It also has allowed them to expand the program to tribal communities in northwest New Mexico, with the cooperation of the tribal police in those areas. The PAL Youth Enrichment Act will provide the funding needed to continue programs like the New Mexico PAL and will give other states the incentive to start up PAL programs in distressed communities.

Kids need healthy alternatives to crime and assistance in dealing with their anger. Athletics and recreational activities like dancing and drama greatly improves one's well being—both physically and mentally—and give teens an outlet for their energy and anger. PAL's sports and recreational activities also help kids learn the importance of teamwork and help boost their self-esteem when they accomplish more than they thought possible.

Many folks do not realize it but the PALs have produced some great athletes over the years. New Mexico is proud of its native son, Danny Romero Jr., a former two-time world boxing champion and an alumnus of the New Mexico PAL program. According to Danny's father, the PAL philosophy taught his son life skills that he could not have learned any where else and kept him out of trouble.

Mr. President, I encourage the Senate to take up and pass this worthwhile legislation that expands a program with proven positive results. Just ask the 1.5 million children in more than 3,000 communities that the PAL program over the past 55 years has served. The PAL programs will change our youth's attitude toward police, will provide a variety of alternatives to criminal behavior and will positively influence a child's mental and physical well-being. I hope that my Senate colleagues will join me in supporting this important legislation.

By Mr. DODD (for himself and Mr. ROCKEFELLER):

S. 1876. A bill to amend the High-Performance Computing Act of 1991 to require a report to Congress; to the Committee on Health, Education, Labor, and Pensions.

#### SCIENCE AND EDUCATIONAL NETWORKING ACT

• Mr. DODD. Mr. President, I am pleased to rise today to introduce the Science and Educational Networking Act with my colleague from West Virginia, Senator ROCKEFELLER. This legislation is a companion bill to legislation introduced in the other body by one of my Connecticut colleagues, JOHN LARSON and cosponsored by 49 other members.

Very simply, the Science and Educational Networking Act charts a course for the future for our schools and for education technology. Just as we cannot imagine schools and learning without books and pencils, computers and technology have become today a critical element in education. But like other tools, technology has its limits. Teachers must be trained to use technology in their teaching. Curriculum must incorporate and utilize technology. Students must have access to computers. Classroom technology must be connected, integrated and of high quality.

This legislation focuses specifically on this last element in the equation—the quality of the technology in our classrooms. Computers in and of themselves are amazing machines. But what is more powerful than their simple computing capacity is the connections students can make with them. From accessing the collection of museums and libraries to “chatting” with students from across the globe, computers have incredible potential to enrich our children's education. But in too many schools this potential goes unrealized because of outdated, inadequate or non-existent equipment and slow connections to the Internet.

Since the enactment and implementation of the e-rate, we have made substantial progress toward meeting our goal of connecting all schools and classrooms to the Internet. Since 1994, the percentage of schools with access to the Internet has more than doubled from 35 percent to 89 percent and the percentage of classrooms with access has risen from 3 percent to 51 percent. Gaps however remain. High income communities are more likely to have Internet access than low income schools with over 60 percent of classrooms in wealthier communities having Internet access compared to under 40 percent of low income classrooms.

Further limiting the benefit of the Internet and the World Wide Web is the actual capacity of a school's connection. Most schools are connected over regular telephone loans—although in many states even this is a problem. In my home state of Connecticut, four in five school districts report inadequate classroom access to telephone lines. And frankly, a regular telephone line just is not enough—trying to use the Internet with a regular telephone line can be frustratingly slow as data quickly overloads the capacity of these lines designed for telephones not computers. Students need access to high speed, large bandwidth capacity. Without these connections, it is like requiring our students to make their way only on the back roads rather than on the freeway.

High speed, large bandwidth connections, which are rare except in some of our nation's technological hubs, substantially increase the quality and capacity of Internet connections. The effect of these better connections is immediate—entering, searching and accessing the Web and the information it contains is faster and much more efficient. Much more important, in my view, is what this increased capacity will do for distance learning opportunities in our elementary and secondary schools. High speed, large bandwidth connections offer the potential of real-time, two-way video and audio interactions over the Net. This is where the promise of distance learning comes to fruition when students in a remote location or several remote locations participate in real time classroom activities.

This legislation will move us toward this promising goal. It will bring together leading experts in government to assess the capacity of our schools in this area, to explore the digital divide, to examine ways to better utilize this technology in schools and to report to Congress on how we can help schools meet these challenges.

Mr. President, this is an important first step if we are to make the promise of the Internet a reality for our children and schools. I ask that the bill be printed in the RECORD.

The bill follows:

S. 1876

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Science and Educational Networking Act”.

#### SEC. 2. REPORT TO CONGRESS.

Section 103 of the High-Performance Computing Act of 1991 (15 U.S.C. 5513) is amended by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively, and by inserting after subsection (a) the following new subsection:

“(b) REPORT TO CONGRESS.—

“(1) REQUIREMENT.—The Director of the National Science Foundation shall submit to Congress, not later than December 31, 2001, a report that addresses the issues described in paragraph (3) and includes recommendations to address the issues identified in the report.

“(2) CONSULTATION.—In preparing the report under paragraph (1), the Director of the National Science Foundation shall consult with the National Aeronautics and Space Administration, the National Institute of Standards and Technology, and such other Federal agencies and other education entities as the Director of the National Science Foundation considers appropriate.

“(3) ISSUES.—The report shall—

“(A) identify the current status of high-speed, large bandwidth capacity access to all public elementary and secondary schools and libraries in the United States;

“(B) identify how high-speed large bandwidth capacity access to the Internet to such schools and libraries can be effectively utilized within each school and library;

“(C) consider the effect that specific or regional circumstances may have on the ability of such institutions to acquire high-speed, large bandwidth capacity to achieve universal connectivity as an effective tool in the education process; and

“(D) include options and recommendations for the various entities responsible for elementary and secondary education to address the challenges and issues identified in the report.”.

#### ADDITIONAL COSPONSORS

S. 71

At the request of Ms. SNOWE, the name of the Senator from Delaware (Mr. ROTH) was added as a cosponsor of S. 71, a bill to amend title 38, United States Code, to establish a presumption of service-connection for certain veterans with Hepatitis C, and for other purposes.

S. 93

At the request of Mr. DOMENICI, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 93, a bill to improve and strengthen the budget process.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 631

At the request of Mr. DEWINE, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 631, a bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the medicare program, to provide continued entitlement for such drugs for certain individuals after medicare benefits end, and to extend